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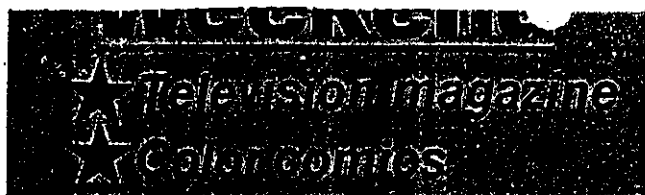
Koniag land probe asked

BY LAURIE MCGINLEY
Our Washington Bureau

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ANCHORAGE, ALASKA, SATURDAY, APRIL 21, 1995

Koniag land probe asked

By LAURIE MCGINLEY
Our Washington bureau

WASHINGTON—In the wake of columnist Jack Anderson's accusations of Native land fraud, Senate Energy committee Chairman Henry Jackson has requested a new Interior Department report on the Koniag land dispute.

In addition, Jackson has told the General Accounting Office (GAO), Congress's watchdog agency, to be ready to probe the Interior Department report.

"Let's not call it a full-blown GAO investigation, where people go up to Alaska to see what's going on," said a Jackson aide. "Let's call it a preliminary investigation. The GAO will go in and take a look at the department's records on Koniag."

Jackson said the committee would deal with two issues: whether the Koniag villages are legally entitled to land under the Alaska Native Claims Settlement Act (ANCSA), and whether Congress should legislate land exchanges.

Like several other ANCSA amendments, the Koniag proposal was accepted by the committee last year without hearings "on the understanding that it was non-controversial," Jackson said in his letter to Interior Secretary Cecil Andrus.

But recently, Jackson said, he has been informed the Citizens' Action Group in Kodiak opposes the amendment, which would certify several additional Koniag, Inc. villages and the proposed land exchange.

Under the exchange, the Natives would give up 340,000 acres of Alaska Peninsula land for 280,000 acres on nearby timber-rich Afognak Island.

The Interior Department has supported the proposal in the past because it would make possible an Alaska Peninsula wildlife refuge, which the administration proposed this year.

But in his February series on the Koniag proposal, Anderson said federal investigators are convinced

Attorney responds

By DON HUNTER
Daily News reporter

The lawyer representing Koniag Inc., an Alaska Native corporation, says syndicated columnist Jack Anderson is in error and practices sensationalism in a column running in today's Anchorage Daily News.

The column (See Page E-3) concerns what Anderson calls the creation of "phantom villages" to "euchre Uncle Sam out of 600,000 acres of valuable public land" under the terms of the Alaska Native Claims Settlement Act.

Edward Weinberg, Koniag's Washington D.C.-based lawyer, said Anderson's reports are "highly unfair and prejudicial" to the corporation, its shareholders and officers.

In today's column, Anderson reveals connections between Weinberg and U.S. Rep. Morris Udall, who "supported a special congressional bill that would award 115,000 acres of federal Forest Service land to a Koniag village corporation . . . one of those that Interior Department investigators decided was a phantom community . . . that existed only on paper for the purposes of claiming land under the Alaskan Native Claims Settlement Act."

In reply to Anderson's revelations about Weinberg and the Udalls, the lawyer suggested the columnist is engaging in "a personal vendetta against me, I suppose, because I did not supinely let pass" columns Anderson published earlier this year about the three-year-old battle over Koniag's applications for native village status.

Weinberg says he was a career employee at Interior from 1944, when he started as "a very junior attorney" until his appointment as Interior Department solicitor by President Johnson. "The fact that Stewart Udall (former secretary of interior in the Johnson administration) is associated with our law firm is well-known, not a secret. It's on our letterhead. The fact that he is the brother of Morris Udall is also well-known.

"I can think of no other reason for Anderson to throw those names around other than to smear them and to smear me."

Weinberg says the Koniag amendment has nothing to do with the 115,000-acre entitlement of Lesnoi, a village whose eligibility has been

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Koniag "has tried to pull off a gigantic public land swindle in Southwest Alaska."

"The Citizens Action Group," he said, "are local businessmen, ranchers, hunters and fishermen who are concerned and angry about what they see as Koniag's illegal move to gain ownership of valuable timberland worth millions of dollars."

The group disputed the certification of one of Koniag's villages, Lesnoi, but lost in federal district court. The case is now on appeal in the Ninth Circuit.

Although one Jackson aide said he's never met a senator "who discusses Jack Anderson's columns," Koniag's Washington attorney, Edward Weinberg is "absolutely convinced" the columns propped Jackson's questions about the amendment.

"I welcome Jackson's request," Weinberg said. "It'll give us a chance to clear the area and show that this so-called controversy is just a few people in Kodiak who

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Pheww!

Breakup just could be around Anchorage Fr Above, a municipal r Road and Muldoon Ro

Confel begin

By JON MATTHEWS
The Associated Press

JUNEAU — A House free conference committee braced to begin hammering final 1980 legislative budget following the end of a logjam in the House.

The embattled House — issues including minority rights and the capital n approved its version of the on a 30-5 vote Friday.

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He added that he believed the ruling would enhance the prospects of long-stalled legislation that would authorize the creation of nationwide interest-bearing check-

Abortion

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cause you're poor, you're a second class citizen."

Rep. Thelma Buchholdt, D-Anchorage, chairman of the House Health, Education and Social Services Committee, said she thought the issue should be subjected to extensive debate, and the people affected should be allowed to testify before a vote was taken.

Since the language is in the Senate version of the bill, it will be up to a joint free conference committee which convenes today to make the final decision.

The village is entitled to that land under the Settlement Act itself, while the Koniag amendment deals with a proposed land exchange between the federal government and the Native corporation, Weinberg said.

The Koniag attorney notes that, "so far as I am aware, Lesnot, like the other Koniag villages, was the subject of an intensive FBI investigation which preceded the single set of indictments involving Shuyak, one of the so-called uncertified villages." That indictment was returned in the summer of 1976, and later "dismissed for want of prosecution," in part because "exculpatory evidence had been withheld from the grand jury," Weinberg said.

The proposed Koniag amendment has been protested by the Citizens' Action Group in Kodiak, both Anderson and Weinberg report.

Weinberg says he has replied to the charges levelled against Koniag by Anderson in letters to Sen. Henry Jackson and Rep. Udall.

In today's column, Anderson cites an affidavit filed as a supporting document in a village application for Bells Flat. The affidavit was signed by the youth's mother.

According to the column, "though young (Theodore Lee) Cooper was born in 1971, the affidavit states that he has lived in the disputed village of Bells Flat since 1970. The affidavit goes on to swear that the infant Cooper maintained a

Attorney makes response

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garden at Bells Flat each summer and hunted deer, elk and rabbit there."

Noting that he was not acting as counsel for Koniag at the time the affidavit was taken, Weinberg described Anderson's report of it as "another one of these nitpicks that brother Anderson is so capable of."

Under the Settlement Act, village residency is determined as of April 1, 1970, Weinberg said.

"There is a legal question... as to whether a child born after April 1, 1970 can qualify as a resident," he said. The "usual practice" was for a parent to claim residency for the child in his or her affidavit. "This in effect amounts to the same thing. The mother (Julia Carol Cooper) also gave an affidavit

village (his) place of abode..."

Tied into the dispute is land swap legislation proposed by Koniag Inc. Under that proposal, Koniag would exchange 340,000 acres of land on the Alaska peninsula - which Weinberg quotes environmentalists as describing as among the finest wildlife habitat in the state - for about 279,000 acres of government land on Afognak Is-

Perhaps, lawmakers "ought to take a look at the whole system," Hayes said.

Kenal Democrat Hugh Malone used the free conference issue to argue against the bicameral (two-body) system.

Koniag

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managed to get Anderson stirred up.

He said he has received "no indication" the Interior Department plans to withdraw its support of the amendment. The department's officials were unavailable for comment.

A Jackson aide said Andrus probably will submit the report to the committee by mid-May.

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